

REMARKS

I. Formal Matters.

Claims 1-19 are currently pending in this application.

II. Claims.

The Examiner rejects claims 1, 2, 5, 8, 9 and 15-17 as allegedly being unpatentable over *Meredith, et al.* (U.S. Patent No. 6,052,605) in view of *Do* (U.S. Patent No. 6,321,087) or *Jang* (U.S. Patent No. 6,282,408) under 35 U.S.C. §103(a). Applicant respectfully traverses this rejection in view of the following remarks.

Claims 1 and 8 require, "...cell station executing continuous interference monitoring ...during a requested period...said maintenance terminal requesting said requested period...". Applicant's independent claims are distinguishable from *Meredith* at least by claiming the recording of interference data initiated in response to a request received by a cell station from a maintenance terminal. While this request is independent of communication signal transmission, it is not necessary for said recording to be done to the exclusion of, or in the absence of, communication signal transmission. *Meredith* fails to teach the maintenance terminal requested recording period of interference data of Applicant's claims 1 and 8.

Particularly, *Meredith* discloses a communication operations system which monitors interference for immediate signal transmission integrity. "An object of the present invention is

improved assessment of potential interference during communication between mobile radio units and...base sites..." (*Meredith*, col. 1, lines 56-59). *Meredith* discloses interference monitoring for present time, online assessment of potential interference distribution across multiple radio channels. When potential interference is detected, an alternate channel for signal transmission is selected (*Meredith*, col. 2, lines 61-67). *Meredith* monitors all antennae at multiple frequencies at predetermined periodic intervals (10 times per second) (col. 2, lines 22-26 and 44-46). *Meredith* does not disclose *Applicant*'s claimed continuous interference monitoring only during a requested period, said requested period requested by a maintenance terminal. The Examiner acknowledges the absence of this teaching in *Meredith*, and therein relies on secondary reference *Do* or secondary reference *Jang* to teach or suggest this element (FOA page 2). *Applicant* addresses the shortcoming of each secondary reference in turn.

The Examiner asserts that *Do* teaches a monitoring system in a wireless telecommunication system wherein a base station can monitor call(s) based on a request from an operator or a maintenance terminal. The Examiner cites, specifically, to *Do* at col. 2, lines 52-63 (FOA page 2). *Do* teaches maintaining a record of a call (col. 1, lines 22-24). The record of the call identifies the path (base stations BS, mobile station MS, mobile switching center MSC, common channel signaling network CCN, and public switched telephone network PSTN) which the call has taken, or which the call is taking (col. 1, lines 16-24; FIG. 1; col. 2, lines 1-11; col. 2, lines 52-53). The record of the call is exclusive of interference data, or signal quality (col. 2, lines 20-51). Multiple points along the path transmit their call data record for a specific call to

an MSC upon a request or automatically upon detection of an abnormality (col. 3, lines 20-22; col. 2, lines 52-57).

Do does not disclose *Applicant's* claimed continuous interference monitoring only during a requested period, said requested period requested by a maintenance terminal. In fact, *Do* teaches away from *Applicant's* claim. *Do* teaches continuous tracking of a call path, said *recorded* call path data being transferred to an MSC upon request, or upon detection of an abnormality [perhaps excess interference]. At least for failing to teach or suggest, alone or in combination, the element of continuous interference monitoring only during a requested period, said requested period requested by a maintenance terminal, the rejection of claims 1 and 8 over *Meredith* in view of *Do* under 35 U.S.C. §103(a) should be withdrawn.

The Examiner asserts that *Jang* teaches an apparatus and method for measuring air interference of a base station by using a maintenance terminal and wherein air interference measurements can be continuously repeated till a stop time has been reached. The Examiner cites specifically to *Jang* at col. 5 (FOA page 3). *Jang* teaches automatically measuring and storing channel power from air interference measurement set (AIMS) in each of six sector/paths (FIG. 4; col. 5, lines 1-15; col. 4, lines 47-51), switching over to each one of six sector/paths when a switch commend is received by the decoder, said command sent from a control computer (FIG. 4; col. 5, lines 12-20). The method automatically progresses to the next measurement, i.e., frequency, when the 6 switches have been executed (FIG. 4; col. 5, lines 21-25). "Repeating of steps [measuring, storing and switching], is continuously performed until the time when a stop

command is input by a measurement operator” (col. 5, lines 26-28). *Jang* fails to teach or suggest continuous interference monitoring for a requested period, said requested period requested by a maintenance terminal. Rather, *Jang* teaches periodic measurements of each sector/path in sequential order, continuing said periodic sequential measurements until the operator of the monitoring device provides a stop command.

If a parallel port is not available, switching is performed by hand via a toggle switch (col. 4, lines 43-44). *Jang* fails to teach or suggest continuous interference monitoring for a requested period, said requested period requested by a maintenance terminal. Rather, *Jang* teaches continuous monitoring of a given sector/path until the monitoring operator manually switches the monitoring apparatus to a second sector/path. *Jang* fails to teach or suggest continuous interference monitoring for a requested period. At least for failing to teach or suggest, alone or in combination, the element of continuous interference monitoring only during a requested period, said requested period requested by a maintenance terminal, the rejection of claims 1 and 8 over *Meredith* in view of *Jang* under 35 U.S.C. §103(a) should be withdrawn.

Method claims 9 and 15 contain subject matter analogous to that asserted in the traversal of claims 1 and 8, above. Accordingly, an analogous argument asserted in traversal of the rejection of claims 1 and 8 is asserted in traversal of the rejection of claims 9 and 15. Therefore, the rejection of claims 9 and 15 over *Meredith* in view of *Do* under 35 U.S.C. §103(a) should be withdrawn. Likewise, the rejection of claims 9 and 15 over *Meredith* in view of *Jang* under 35 U.S.C. §103(a) should be withdrawn.

Claims 2, 5 and 16-17 are asserted as being allowable at least by virtue of their dependence upon an allowable claim.

The Examiner rejects claims 3, 4 and 10-12 as allegedly being unpatentable over *Meredith* in view of *Do* or *Jang* and further in view of *Shimura* (U.S. Patent No. 4,837,801) under 35 U.S.C. §103(a).

Claims 3, 4 and 10-12 are asserted as being allowable at least by virtue of their dependence upon an allowable claim.

The Examiner rejects claims 6, 7, 10, 13 and 14 under 35 U.S.C. §103(a) as allegedly being unpatentable over *Meredith* in view of *Do* or *Jang* and further in view of *Iwata* (U.S. Patent No. 5,845,209). Additionally, the Examiner rejects the same claims (claims 6, 7, 10, 13 and 14) under 35 U.S.C. §103(a) as allegedly being unpatentable over *Meredith* in view of *Do* or *Jang* and further in view of *Sakamoto, et al.* (U.S. Patent No. 5,408,514).

Claims 6, 7, 10, 13 and 14 are asserted as being allowable at least by virtue of their dependence upon an allowable claim.

The Examiner rejects claims 18 and 19 as allegedly being unpatentable over *Meredith* in view of *Do* or *Jang* and further in view of *Tayloe, et al.* (U.S. Patent No. 5,095,500) under 35 U.S.C. §103(a).

Claims 18 and 19 are asserted as being allowable at least by virtue of their dependence upon an allowable claim.

REQUEST FOR RECONSIDERATION
U.S. SERIAL NO. 10/015,795

ART UNIT 2643
Q67694

In view of the preceding amendments and remarks, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby earnestly solicited. If there are any points remaining in issue that the Examiner feels may be best resolved through a personal or telephonic interview, he is kindly requested to contact the undersigned at the local telephone number listed below.

The USPTO is directed and authorized to charge all required fees (except the Issue/Publication Fees) to our Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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Date: August 25, 2005